

## **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Editorially amends independent claim 4.
2. Editorially amend claim 23 to moot the informality mentioned in enumerated paragraph 2 of the office action.
3. Editorially amend claims 27 – 30 to moot the rejections under 35 USC §112, second paragraph.
4. Thank the Examiner for the allowance of claims 2-13, 23-24, 32-42 and 51-52.
5. Thank the Examiner for the indication of allowable subject matter in claims 15-22 and 44-50.
6. Rewrite claim 15 as an independent claim by including essentially all but the last paragraph of (now cancelled) claim 14, thereby rendering claims 15 – 22 allowable.
7. Rewrite claim 44 as an independent claim by including essentially all but the last paragraph of (now cancelled) claim 43, thereby rendering claims 44 – 50 allowable.
8. Cancel claims 14 and 43 without prejudice or disclaimer.
9. Respectfully traverse all prior art rejections formulated with respect to claims 26 – 30 and 54 - 58.

### **B. PATENTABILITY OF THE CLAIMS**

Claims 26, 30, 54 and 58 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,959,965 to Ohkubo et al in view of U.S. Patent 6,735,454 to Yu et al. Claims 27-29 and 55-57 stand rejected under 35 USC §103(a) as being unpatentable over

U.S. Patent 5,959,965 to Ohkubo et al and U.S. Patent 6,735,454 to Yu et al as applied to claims 26, 30, 54 and 58 above, and further in view of U.S. Patent 6,876,672 to Castelain. All prior art rejections are respectfully traversed for at least the following reasons.

Independent claims 26 and 54 both require, e.g., determining a timing drift *between the receiver sample clock and the transmitter sample clock during a sleep period* of a predetermined duration. This limitation, among others, is not taught or suggested by the combination of U.S. Patent 5,959,965 to Ohkubo et al and U.S. Patent 6,735,454 to Yu et al.

U.S. Patent 6,735,454 to Yu et al. requires three clocks: an active-mode clock; a sleep-mode clock; and a transition mode clock. The active-mode clock and the transition mode clock are fast clocks, the sleep-mode clock is a slow clock. The active-mode clock is deactivated in the sleep mode; the sleep-mode clock remains on in the sleep mode. A clock activation device 100 (see Fig. 1) activates the active-mode clock following a sleep period based primarily upon the relatively imprecise sleep-mode clock but adjusted based upon frequency drift and timing offset adjustment factors using the much faster transition mode clock which is deactivated during most of the sleep period. Thus, the thrust of Yu is to compensate for frequency drift within the low power, low frequency clock employed during the sleep period.

Therefore, Yu is concerned with a frequency drift which occurs as a result of a particular sleep mode clocking arrangement implemented by Yu: Yu's trilogy of clocks. Yu does not acknowledge, much less attempt to address, frequency drift between a receiver sample clock and a transmitter sample clock during a sleep period.

Neither Ohkubo or any other would turn to Yu for any frequency drift compensation unless a similar slow sleep-mode clock technique had been employed.

Accordingly, the concocted combination is improper and unavailing. Applicants respectfully submit that the prior art rejections of claims 26 – 30 and 54 – 58 should be withdrawn.

### **C. MISCELLANEOUS**

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

By: /H. Warren Burnam, Jr./

H. Warren Burnam, Jr.  
Reg. No. 29,366

HWB:lsh  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100